

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

JEREMY RAYE DESHOTEL ET AL

CIVIL ACTION NO. 19-cv-0373

VERSUS

JUDGE JUNEAU

CARDCASH EXCHANGE INC ET AL

MAGISTRATE JUDGE
WHITEHURST

J U D G M E N T

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, including the written objections filed, and concurring with the findings of the Magistrate Judge under the applicable law;

IT IS ORDERED that the Re-Urged Motion to Dismiss for Failure to State a Claim [Doc. 66] is GRANTED IN PART AND DENIED IN PART. IT IS ORDERED that defendants' motion to dismiss the plaintiffs' false imprisonment claims is DENIED as MOOT, as no such claims are pending at this time. IT IS FURTHER ORDERED that defendants' motion to dismiss plaintiffs' malicious prosecution claims alleged Sergeant Lege in his official Capacity under federal law is GRANTED, and those claims are DISMISSED WITH PREJUDICE. IT IS FURTHER ORDERED that the claims alleged against Sergeant Lege in his

individual capacity under federal law are DENIED at this time, subject to the rights of the defendant to reurge a dispositive motion, if appropriate, once limited discovery related to the issue of qualified immunity has been completed.

IT IS FURTHER ORDERED that the defendants' motion to dismiss the plaintiffs' Section 1983 claim against the City is GRANTED, and that those claims are DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that the defendants' motion to dismiss the plaintiffs' state law malicious prosecution claims is DENIED at this time, subject to the right of the defendants to reurge a dispositive motion, if appropriate, once limited discovery related to the issue of qualified immunity has been completed.

THUS DONE AND SIGNED at Lafayette, Louisiana, this the 8th day of
May, 2020.

A handwritten signature in black ink, appearing to be "J. H. ...", written over a horizontal line.

UNITED STATES DISTRICT JUDGE